

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

JAMES GOODING	)	
	)	
V.	)	NO. 2:05-CV-47
	)	
UNITED STATES OF AMERICA	)	

ORDER

No objections have been filed to Magistrate Judge Inman's Interim Report and Recommendation [Doc. 13]. The Report and Recommendation is APPROVED, and it therefore is ORDERED as follows:

(1) Petitioner's "Motion to Correct Warrant" (Doc. 7), shall be stricken from this case, and refiled by the Clerk in the 1995 criminal case to which it applies, Case No. 2:95-CR-59. That motion, upon its refiling in 2:95-CR-59, shall be docketed as a motion to correct a clerical error pursuant to F.R.Crim.P. Rule 36.

(2) Petitioner's *amended* § 2255 motion filed in both the instant civil action and in Case No. 2:02-CR-79, likewise shall be stricken from the cases in which it is now filed, and refiled in the criminal case to which it actually applies, i.e., Case No. 2:95-CR-59, and thereafter treated as an amendment to the "motion to correct warrant."

ENTER:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE